IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2915 of 2005

Between:

Y.Nagarjuna Reddyb S/O Narayana Reddy,

R/O Tallapalli village, Valmikipuram Mandal,

Chittoor District.

..... PETITIONER

AND

1. Commissioner, A.P.State Election Commission
for Local Bodies, Budha Bhavan, Secunderabad.

2. District Collector, Chittoor District at Chittoor.

3. District Panchayat Officer, Chittoor, Chittoor District.
4. Election Officer/Mandal Parishad Development Officer,
Valmikipuram Mandal, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not conducting election for the post of upa sarpanch of Chinthaparthi grama panchayat, Valmikipuram Mandal, Chittoor District in spite of issuing notice in ROC No.C/162/2005, dated 26.01.2005 and fixing schedule by the 4th respondent as illegal, irregular and violative of Articles 14 and 243 K of the Constitution of India and also provisions of A.P.Panchayat Raj Act and rules framed thereunder and consequently direct the respondents to conduct election immediately for the said post and fill up the vacancy.

Counsel for the Petitioner : MR.SATYANARAYANA NIMMAGADDA

Counsel for the Respondent Nos.1 to 4: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the stage of admission made the following :

ORDER:

The petitioner herein is a member of Chinthaparthi grama panchayat, Valmikipuram Mandal, Chittoor District.

This writ petition is filed seeking a declaration that the action of the respondents in not conducting election for the post of upa-sarpanch of Chinthaparthi Gramapanchayat is arbitrary, illegal and in violation of the provisions of A.P.Panchayat Raj Act, 1994.

When the matter is taken up for consideration, learned Government Pleader for Panchayat Raj and Rural Development, under instructions, states that a special meeting has been scheduled to be convened on 28.02.2005 for conducting elections to the post of upa-sarpanch of Chinthaparthi Grama panchayat and a notification to that effect has already been issued on 15.02.2005 by the State election commission.

In view of the same, no adjudication is necessary on merits. Accordingly, recording the statement of the learned Government Pleader, the writ petition is closed.

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18.02.2005

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To

1. The Commissioner, A.P.State Election Commission
for Local Bodies, Budha Bhavan, Secunderabad.

2. The District Collector, Chittoor District at Chittoor.

3. The District Panchayat Officer, Chittoor, Chittoor District.
4. The Election Officer/Mandal Parishad Development Officer,
Valmikipuram Mandal, Chittoor District.

5 Two C.Cs to the G.P. for Panchayatraj and Rural
Development, High Court Buildings, Hyderabad. (OUT).
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